

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3334



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2017 AUG 14 PM 2:48

SENSITIVE

August 14, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AWH for*
Staff Director

FROM: Patricia C. Orrock *DC* for PCO
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KR*/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2017 June Monthly Report for the
Administrative Fine Program

Attached is the name of a political committee and its treasurer who failed to file the 2017 June Monthly Report in accordance with 52 U.S.C. § 30104(a). The June Monthly Report was due on June 20, 2017.

The committee listed on the attached RTB Circulation Report filed the report no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, this committee should be assessed the civil money penalty highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committee and its treasurer, in his official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the RTB Circulation Report.
2. Send the appropriate letter.

8/14/2017 1:54 PM

**Federal Election Commission
Reason to Believe Circulation Report
2017 JUNE MONTHLY Not Election Sensitive 06/20/2017 P UNAUTH**

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3334	C00193631	THE FARM CREDIT COUNCIL POLITICAL ACTION COMMITTEE		WILLIAM JEFFRY SHIPP	\$745,704	0	6/30/2017	10	\$80,467	\$1,946

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3334
Reason To Believe Recommendation -)
2017 June Monthly Report for the)
Administrative Fine Program: The Farm)
Credit Council Political Action)
Committee and William Jeffry Shipp, as)
Treasurer)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on August 23, 2017, the Commission
decided by a vote of 5-0 to take the following actions in AF 3334:

1. Find reason to believe The Farm Credit Council Political Action
Committee and William Jeffry Shipp, in his official capacity as
treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary
determination that a civil money penalty of \$1,946 be assessed.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

August 23, 2017
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 24, 2017

William Jeffry Shipp, in official capacity as Treasurer
The Farm Credit Council Political Action Committee
50 F Street NW, Suite 900
Washington, DC 20001

C00193631
AF#: 3334

Dear Mr. Shipp:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a June Monthly Report of Receipts and Disbursements covering the period May 1, 2017 through May 31, 2017. This report shall be filed no later than June 20, 2017. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on June 30, 2017, 10 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On August 23, 2017, the FEC found that there is reason to believe ("RTB") that The Farm Credit Council Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before June 20, 2017. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,946. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,946 is due within forty (40) days of the finding, or by October 2, 2017, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$80,467
Number of Days Late: 10
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or October 2, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that The Farm Credit Council Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,946 for the 2017 June Monthly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: The Farm Credit Council Political Action Committee

FEC ID#: C00193631

AF#: 3334

PAYMENT DUE DATE: October 2, 2017

PAYMENT AMOUNT DUE: \$1,946



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
NOV 13 2017

2017 NOV 13 AM 11:35
SENSITIVE

November 13, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *EW/H for*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KR BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2017 June Monthly Report

Attached is a list identifying a political committee and its treasurer against which the Commission has found reason to believe (RTB) and assessed a proposed civil money penalty calculated at RTB for failure to file or failure to timely file the 2017 June Monthly Report. The committee has paid the civil money penalty requested at RTB.

In accordance with 11 CFR § 111.40, the Commission shall send a final determination notice to the respondent that has paid the civil money penalty.

RAD Recommendation

- (1) Make a final determination that the political committee and its treasurer, in his official capacity, listed on the attached report violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated.
- (2) Send the appropriate letter.

11/13/2017 9:59 AM

11/13/2017 9:59 AM

Federal Election Commission
FD Circulation Report Fine Paid
2017 JUNE MONTHLY Not Election Sensitive 06/20/2017 P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3334	THE FARM CREDIT COUNCIL POLITICAL ACTION COMMITTEE		C00193631	WILLIAM JEFFRY SHIPP	06/30/2017	10	\$80,467	0	08/23/2017	\$1,946	\$1,946	10/02/2017	\$1,946

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3334
Administrative Fine Program – Final)
Determination Recommendation for the)
2017 June Monthly Report: The Farm)
Credit Council Political Action)
Committee and William Jeffry Shipp, as)
treasurer)

CERTIFICATION

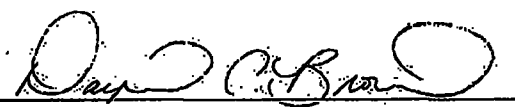
I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on November 17, 2017, the Commission
decided by a vote of 5-0 to take the following actions in AF 3334:

1. Make a final determination that The Farm Credit Council Political Action Committee and William Jeffry Shipp, in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty in the amount of \$1,946.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

November 20, 2017
Date


Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 20, 2017

William Jeffry Shipp, in official capacity as Treasurer
The Farm Credit Council Political Action Committee
50 F Street NW, Suite 900
Washington, DC 20001

C00193631

AF#: 3334

Dear Mr. Shipp:

On August 23, 2017, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that The Farm Credit Council Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2017 June Monthly Report. By letter dated August 24, 2017, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$1,946 in accordance with the schedule of penalties at 11 CFR § 111.43.

On October 2, 2017, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on November 17, 2017 that The Farm Credit Council Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$1,946 in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Steven T. Walther".

Steven T. Walther
Chair

View Plastic Card Details

Card #1

Transaction Type: Sale
Account Holder Name: Debbie Wing
Billing Address: 50 F St NW
Billing Address 2: Suite 900
City: Washington
State/Province: DC
ZIP/Postal Code: 20001
Country: USA
Plastic Card Type: AmericanExpress
Plastic Card Number: *****1092
Approved Amount: \$1,946.00
Total Number of Installments: 1
Transaction Date: 09/29/2017
AF#: 3334
Committee Name: The Farm Credit Council Political Action Committee
FEC ID:
Agency Memo:

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3334

UNCLASSIFIED